

HORWITZ, HORWITZ & ASSOCIATES, LTD.  
CRAIG M. SHAPIRO, ESQ.  
STATE Bar #  
25 EAST WASHINGTON STREET, SUITE 900  
CHICAGO, IL 60602  
( )  
ATTORNEY FOR THE PLAINTIFF

IN THE U.S. DISTRICT COURT  
COUNTY, STATE OF ILLINOIS

)  
EDWARD DAY )  
 ) NO. 08CV4316  
)  
)  
PLAINTIFF ) SERVICE OF PROCESS BY  
vs ) PRIVATE PERSON  
CAPITAL MANAGEMENT SERVICES, L.P. )  
D/B/A, A/K/A CAPITAL MANAGEMENT ) ASSIGNED TO THE HONORABLE  
SERVICES, INC., ET AL., ) JUDGE:  
 )  
DEFENDANT )  
)  
)  
)

STATE OF ARIZONA ) ss.  
County of Maricopa )

The undersigned, being first duly sworn, states:

i. That I am fully qualified, pursuant to RCP 4(d), to serve process in this cause:

ii. That on 08/15/2008 I received the following documents:

- a) SUMMONS & COMPLAINT
- b)
- c)
- d)
- e)
- f)
- g)
- h)
- i)
- j)
- k)
- l)

Track Down, Inc.  
PO Box 56846  
Phoenix, AZ 85079-6846  
(602) 252-8521

Client ID No. ....  
Field Report No. # 8082671

(v2.31)  
RECEIVED

AUG 28 2008

3. That the person served does not have any military obligations, except as noted below.
4. That if this is an affidavit of posting of a trustee's sale, a due and diligent effort to ascertain whether or not trustors are affiliated with the military service was done, and no one could be found at the posting location who had knowledge of the trustors except as noted below.
5. That I personally served copies of the above documents, on the person at the time, place and manner as follows:

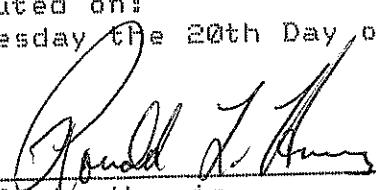
UPON FFFM CARMEL HOLDINGS I, LLC, BY SERVING ONE TRUE COPY UPON HEATHER WILCOX, DIRECTOR OF LEGAL SERVICES, PERSONALLY, WHO IS AUTHORIZED TO ACCEPT SERVICE AND DID ACCEPT SERVICE, IN THE OFFICE, 2800 NORTH 44TH STREET STE-310, PHOENIX, MARICOPA COUNTY, ARIZONA, 85008, AT THE HOUR OF 12:11 P.M., AUGUST 18, 2008.

RACE: CAUCASIAN SEX: FEMALE AGE: 53 HT: 5'8" WT: 170

1 Document(s)	
served:	\$16.00
0 W/G(s)	
served:	\$0.00
0 Sales Notices	
posted:	\$0.00
12 Miles:	\$28.80
Min. Miles Total	\$0.00
Document Prep. Fee	\$10.00
Witness Fee	\$0.00
Filing Fee	\$0.00
Additional Cost	\$0.00
	\$0.00
	\$0.00
	\$0.00
TOTAL	\$54.80

I certify under penalty of perjury that the foregoing is true and correct.

Executed on:  
Wednesday the 20th Day of August, 2008

  
\_\_\_\_\_  
Ronald L. Harris #7102  
Registered in Maricopa County

Track Down, Inc.  
PO Box 56846  
Phoenix, AZ 85079-6846  
(602) 252-8521

8082671 (v2.31)

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF ILLINOIS**

**SUMMONS IN A CIVIL CASE**

Edward Day

CASE NUMBER: 08CV4316

V.

ASSIGNED JUDGE: JUDGE HART

Capital Management Services, L.P. d/b/a, a/k/a Capital Management Services, Inc., Capital Management Services, Inc., d/b/a, a/k/a Capital Management Services, L.P., and FFPM Carmel Holdings I, LLC.

DESIGNATED  
MAGISTRATE JUDGE: MAGISTRATE JUDGE KEYS

TO: (Name and address of Defendant)

FFPM Carmel Holdings I, LLC  
 2800 North 44th Street, Suite 310  
 Phoenix AZ 85008

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Craig M. Shapiro  
 Horwitz, Horwitz & Associates, Ltd.  
 25 E Washington St Ste 900  
 Chicago IL 60602

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOTE: When the print dialogue box appears, be sure to uncheck the Annotations option.

**Michael W. Dobbins, Clerk**

*Paul W. Dobbins*

(By) DEPUTY CLERK

**July 30, 2008**

-----  
 Date



AO 440 (Rev. 05/00) Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served: \_\_\_\_\_  
 \_\_\_\_\_

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: \_\_\_\_\_

Returned unexecuted: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Other (specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 8/18/08  
 Date

*Donald A. Davis*  
 Signature of Server

119 W. McDowell Rd. AZ  
 Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.